

1. Explain the provisions about FMLA leave including the reasons it can be used and eligibility.

In order to qualify for FMLA an employee must have worked for the employer for at least 12 months and 1250 hours. FMLA leave can be used for four reasons: 1.) having a baby, 2.) adopting a baby, 3.) personal illness, or 4.) taking care of a sick family member.

2. Does FMLA require the employee to use their paid leave, why or why not?

FMLA does not require the employee to use their paid sick leave; this is a decision that is left up to the employer to decide

How does it work with seniority and FMLA leaves?

Seniority is not affected by FMLA. An employee that takes FMLA leave is guaranteed the same or similar position when they return, they cannot be demoted.

Discuss intermittent leave and how that works. Any examples?

Intermittent leave is leave that does not use the leave days consecutively. Example: taking leave every Tuesday to care for your sick mother.

Are there circumstances where someone can take FMLA for more than 12 weeks in a school year?

The 12 weeks may be exceeded to care for an injured service member for up to 26 weeks.

How does it work with vacations like Christmas and summer for FMLA?

Vacations such as Christmas are not covered under FMLA. Teachers are paid for the days they work; you cannot take paid leave for days you are not paid for. If Christmas fell during your 6 weeks of paid leave, you would not receive paid leave for the one week of Christmas break.

Both employer and employee have obligations in regards to notification of FMLA leave? Explain.

Employees should inform their employer 30 days in advance if planning to use FMLA leave; the exception of course would be an emergency illness/injury (Ex. Broken Leg). Employers should respond within three days to notify an employee if their leave falls under FMLA.

If a teacher has a baby and receives doctor approval to return to work six weeks after a normal delivery, how much of the twelve week FMLA leave would be paid, provided the teacher has 100 sick days.

Only six weeks of the twelve would be paid. Only 6 weeks of a normal delivery is considered to be sick time. As mentioned earlier, you can only use sick days if you are sick. The likely case would be that the district would take 30 sick days from the teacher (6 weeks x 5 days per week).

3. Explain your experience referring someone under the child protection act or any comments regarding situations you've seen.

Thankfully, I have never had to report any issues to CPS in my five years of teaching. Shockingly I cannot even think of an issue that was reported close to me (of a student of mine). We have had PD in recent years making sure that we know that is our responsibility to report anything we feel is suspicious, it's better to be safe than sorry. We as teachers in the district know that we need to contact CPS if we suspect any abuse or neglect towards a student from an adult. We are encouraged to inform counselors and administration but we know that we are the reporter and contact person.